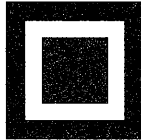


Peter K. Fagen  
Howard A. Friedman  
Howard J. Fulfrost  
Melanie A. Petersen  
Laurie E. Reynolds  
James B. Fernow  
Christopher D. Keeler  
Jan E. Tomskey  
Jonathan P. Read  
Christopher J. Fernandes  
Douglas N. Freifeld  
Diane Marshall-Freeman  
Roy A. Combs  
Mark S. Williams  
Lenore Silverman  
Kimberly A. Smith  
Brian D. Bock  
Kathleen J. McKee  
Rob V. Piacente  
Deborah R. G. Cesario  
Elizabeth B. Mori  
Namita S. Brown  
Ricardo R. Silva  
Wesley B. Parsons  
Gretchen M. Shipley  
David A. Moreno

William F. Schuetz, Jr.  
Anne M. Sherlock  
Shawn Olson Brown  
Kelly R. Minnehan  
Angela Gordon  
Cynthia M. Smith  
Emily E. Sugrue  
Jennifer R. Rowe  
Joshua A. Stevens  
Lyndsy B. Rutherford  
Dean T. Adams  
Tiffany M. Santos  
L. Carlos Villegas  
Kerrie E. Taylor  
Maggy M. Athanasious  
Susan B. Winkelman  
Gregory Rodriguez  
Anna J. Miller  
Melissa L. Phung  
Keith Yanov  
Kelley A. Owens  
Leslie A. Reed  
Melanie D. Seymour

Diana McDonough  
Lynn Murphy, Ed.D.  
Of Counsel



Fagen Friedman & Fulfrost LLP

October 6, 2010

Via ECF

The Honorable James Larson  
United States Magistrate Judge  
United States District Court for the  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102

Re: Tim Galli v. Pittsburg Unified School District, et al.  
3:09-cv-03775-JSW

Joshua A. Stevens  
Direct Dial: 510-550-8218  
jstevens@fagenfriedman.com



Dear Judge Larson:

As you know, a hearing was held this morning in the above-referenced matter on Plaintiff's motion to compel the production of the following two documents that Defendants contend are protected from disclosure under the attorney-client privilege: (1) a legal opinion written by myself and my former colleague, Laurie Juengert to the Pittsburg Unified School District's ("District") Board of Trustees, dated May 13, 2009; and (2) a memo written by my current colleague and co-counsel in this matter, Roy Combs to Tim Galli in his then official capacity as the District's Director of New Construction, Facilities, Maintenance and Technology, dated November 26, 2008.

At the hearing, Plaintiff's counsel, Mark Venardi represented to the Court that Board Trustee Joe Arenivar disclosed the May 13, 2009 legal opinion at issue to the Contra Costa County District Attorneys Office. Please note that this purported fact was not raised by Plaintiff in the parties' April 9, 2010 joint letter to Judge White. In light of this new purported fact represented to the Court by Mr. Venardi, Defendants request that the parties be permitted to submit short letter briefs (no more than 2 pages in length) addressing this new issue.

The Honorable James Larson  
October 6, 2010  
Page 2

Thank you for your consideration of this request.

Sincerely,

FAGEN FRIEDMAN & FULFROST, LLP

A handwritten signature in black ink, appearing to read "Joshua A. Stevens". The signature is stylized with a large, sweeping initial "J" and a cursive "A".

Joshua A. Stevens

JAS:jcf

cc: Mark L. Venardi, Esq.

00254.00140/227738.1